

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRETT GOLDBERG,

Plaintiff,

-v-

PACE UNIVERSITY,

Defendant.

20 Civ. 3665 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

Defendant Pace University (“Pace”) has filed a motion to dismiss the Second Amended Complaint pursuant to Federal Rule of Civil Procedure 12(c). Dkts. 25, 27. A motion to dismiss under Rule 12(c) must be filed after the pleadings have closed. *See* Fed. R. Civ. P. 12(c); *see also Liang v. Home Reno Concepts, LLC*, 803 App’x 444, 446 (2d Cir. 2020) (“A party may move for judgment on the pleadings ‘[a]fter the pleadings are closed’—in other words, after an answer has been filed.”).

Pace answered the First Amended Complaint. Dkt. 15. However, Pace has not filed an answer to the Second Amended Complaint. In the interest of a clear record, by January 25, 2021, Pace is directed to file an answer to the Second Amended Complaint.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: January 20, 2021
New York, New York